

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
v.) Criminal No. 04-10314-GAO
(12) OSCAR RODRIGUEZ CRUZ,)
a/k/a "Oscar,")
a/k/a "O,")
Defendant.)

**ORDER AUTHORIZING DISCOVERY PURSUANT TO
FED. R. CRIM. P. 32.2(c)(1)(B) AND SCHEDULING ORDER**

The United States has moved under Rule 32.2(c)(1)(B) of the Federal Rules of Criminal Procedure to conduct discovery to resolve the factual issues concerning the claims to certain properties filed by Betania Carolina Abreu, Maria Mercedes Pena, Palmetto CXA (by its president Maria Mercedes Pena), and C.P. Investments (by its president Maria Mercedes Pena) (collectively the “Petitioners”) (Docket Nos. 609, 612, 613, and 614), which properties are subject to forfeiture from the Defendant, pursuant to the Preliminary Order of Forfeiture (Specific Assets) endorsed by this Court on December 1, 2014 (Docket No. 595).

Based on the claims filed by the Petitioners and the motion submitted by the United States, such discovery is necessary or desirable, under Rule 32.2(c)(1)(B), to resolve factual issues surrounding the ownership of the contested properties.

WHEREFORE, IT IS HEREBY ORDERED THAT, pursuant to Fed.R.Crim.P. 32.2, the United States and Petitioners may conduct discovery in accordance with the Federal Rules of Civil Procedure, for the purpose set forth above, pursuant to the following schedule:

- a) all paper discovery requests and interrogatories shall be served on or before May 31, 2017;
 - b) all depositions shall be completed on or before July 31, 2017;

- c) any dispositive motions shall be filed by August 29, 2017; and
- d) any oppositions to dispositive motions shall be filed by September 26, 2017.

DONE and ORDERED in Boston, Massachusetts, this 22nd day of March, 2017.


GEORGE A. O'TOOLE, JR.
United States District Judge

[Handwritten signature]